



2026:AHC:124258

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 18900 of 2026

Rahul @ Sandeep Sharma

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ram Krishna, Shivam Prabhakar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 4

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Ram Krishna, learned counsel for the applicant, Sri DPS Chauhan, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 261 of 2025, under Section 108 of the Bhartiya Nyaya Sanhita, 2023., Police Station-Kotwali, District-Maharajganj, during the pendency of the trial.
3. Contention of learned counsel for the applicant is that, in the F.I.R. as well as in the statement of the first informant, allegations have been made that the deceased's elder son Rajesh and step-son Rahul (the applicant) had been continuously harassing the deceased to transfer the agricultural land in their favour and, therefore, suspicion was expressed against the present applicant as well as co-accused Rajesh for committing the murder of the deceased. Subsequently, during the course of investigation, the second statement of the first informant as well as that of the younger brother of co-accused Rajesh were recorded, wherein allegations were made that, due to the continuous demands made by co-accused Rajesh as well as the present applicant for the agricultural land from the deceased, he committed suicide by consuming poison.
4. It is further submitted by learned counsel for the applicant that merely demanding transfer of the applicant's share in the property, being the step-son of the deceased, cannot be a ground to implicate the applicant for abetting the deceased to commit suicide. It is further submitted that the

first informant as well as the younger brother of co-accused Rajesh have clearly admitted that it was co-accused Rajesh who had been continuously harassing and threatening the deceased for transfer of the land and, therefore, the applicant has been falsely implicated in the present case for oblique motives. It is further submitted that the applicant has no criminal history. It is further submitted that charge-sheet has been filed in the present case and, therefore, there is no requirement for custodial interrogation. The applicant is a law-abiding citizen and is languishing in jail since 17.04.2026. In case he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

5. Per contra, learned A.G.A. has vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of the accused and taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** as well as guideline of this Court in the case of **Maya Tiwari Vs. State of U.P., 2024 SCC Online All 6765** regarding grant of bail and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail. Accordingly, the present application is **allowed**.

7. Let the applicant- **Rahul @ Sandeep Sharma**, involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- i. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- ii. The applicant shall cooperate in the trial/investigation sincerely without

seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

10. Verification of mobile number and Aadhaar card of the applicant as well as sureties should be verified by the court concerned.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through **Jail Superintendent, Maharajganj** via e-mail or on e-prison portal and Trial Court via e-mode within 24 hours in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685** as well as **Pila Pahan@Peela Pahan and others Vs. State of Jharkhand and another, in Writ Petition (Criminal) No. 169 of 2025**, decided on **29.05.2026**.

(Arun Kumar Singh Deshwal,J.)

June 1, 2026

SA